

## Land Reclamation Memorandum

02-01

To: Recipients of Permanent Program Regulations

From: Scott Fowler

Date: April 9, 2002

Re: Rulemaking Revisions

On March 22, 2002 a rulemaking package was published in the Illinois Register. the changes are summarized below. The entire copy of our regulations may be found on our web site at <http://dnr.state.il/us/mines/lrd/title62.htm>

The following are the changes:

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| <u>1700.11(b); 1773.12; 1780.21(f)(3)(D)(v); 1784.14(e)(3)(C)(v); 1785.23(d)(4)</u> | <u>Remove reference to the interagency committee because it has been abolished by Public Act 90-0490.</u>   |
| <u>1700.12(a); 1780.21(a); 1784.14(a); 1816/1817.116(a)(2)(C); 1846.17(b)(1)</u>    | <u>Remove the Department's address and so preclude having to do a rule change every time the address changes.</u>   |
| <u>1773.13(a)(1)(B)</u>   | <u>Require that the map or description of the proposed permit area published as part of the public notice advertising an application include the shadow area for underground mines.</u>                 |
| <u>1773.13(a)(2)</u>  | <u>Require the applicant to file an additional copy of any changes to the application submitted to the Department, and the Department will then forward this copy to the appropriate public office.</u> |
| <u>1773.15(a)(1)</u>  | <u>Requires the applicant to submit modifications required by the Department within one year of being notified of the need for modification or the application will be denied.</u>                      |

<u>1777.17</u>	<u>Requires the applicant to submit the permit fee within one year of being notified of the fee amount. If the fee is not submitted within one year the application will be denied.</u>
<u>1778.15(e)</u>	<u>Remove reference to planned subsidence operations from this section pertaining to the need for valid existing rights.</u>
<u>1800.11(a)</u>	<u>Requires that the bond for a permit be submitted within one year of the applicant being notified of the bond amount or the application is denied.</u>
<u>1800.40(d)&amp;(e)</u>	<u>Clarify that there is a difference between a public hearing and an administrative review hearing for bond release decisions.</u>
<u>1816.41(d)</u>	<u>An incorrect reference is being corrected.</u>
<u>1816/1817.113(b)</u>	<u>Establish a time frame for the planting of trees and shrubs.</u>
<u>1816/1817.117(e)</u>	<u>Establishes a standard for measuring revegetation success for areas reclaimed to herbaceous wildlife.</u>
<u>1816.190(b)</u>	<u>Require the area affected by auger mining to be shown on the annual affected acreage map.</u>
<u>1817.64(c)</u>	<u>Allows nighttime blasting at underground mines if approved by the Department..</u>
<u>1817.66(b)</u>	<u>Change to be consistent with the language in the federal regulations at 30 CFR 817.66(b).</u>
<u>1825.14(e)(2)</u>	<u>Require soil compaction alleviation on lands reclaimed to high capability standards unless it is shown that the productivity standards have been, or could have been met, without compaction alleviation.</u>
<u>1843.13(c)(3)</u>	<u>Require the Department to notify the surety or other bond holder when a show cause order is issued to a permittee.</u>
<u>1847.3(a)</u>	<u>Indicate that an administrative review hearing can be requested for bond release decisions.</u>
<u>1847.9</u>	<u>Differentiate between a public hearing and an administrative review hearing for bond release decisions.</u>
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